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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,525	04/07/2005	Hideo Uwagaki	4492-0123PUS1	6769
2292	7590	06/19/2007		
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER HSIEH, SHIH WEN	
			ART UNIT 2861	PAPER NUMBER
			NOTIFICATION DATE 06/19/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

## Office Action Summary

Application No.

10/530,525

Applicant(s)

UWAGAKI ET AL.

Examiner

shih-wen hsieh

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2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 4-7-05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

2. This application is in condition for allowance except for the following formal matters:

#### **In the specification:**

The disclosure is objected to because of the following informalities:

Page 13, lines 15-18:

(1). These lines describe the claw member (7) is held rotatably about the base member (5) and always biased by the tension spring (8) in such a direction that the claw is locked.

(2). While in page 18, lines 21-25, these lines describe the claw member (7) is pivotably supported by the carriage (2) simply makes swinging motion at the specified position relative to the slider member (6) which moves obliquely to the left and right, and the claw member (7) does not move to the left and right at all.

After reviewing the two paragraphs above, Examiner found the support for the claw member (7) is different between these two paragraphs, i.e., in the first paragraphs, it means the claw member (7) is rotatably supported in the base member (5); while in

the second paragraphs, it means the claw member (7) is pivotably supported by the carriage (2).

Examiner's opinion is: the claw member (6) is held rotatably about the base member (5) is right, and the claw member (7) is pivotably supported by the carriage (2) is not correct. Because:

Based on fig. 1(B), the claw member (7) is rotatably held (or supported) by the base member (5). The claw member (7) can not be supported by the carriage (2) as viewing to figs. 1B and 3. When the carriage move rightward, a member (6d, claw push-down projecting part), provided on the slide member (6) forces the claw member (7) downward in contacting with the claw member (7). When a wiping action is performed, carriage (2) moves leftward making contact with an "upper-left projection part" of the claw member (7) and let the claw member swing counterclockwise (CCW) and the "lock-on claw (6c) disengages with the claw member (7) as the carriage further travels leftward performing the wiping action.

So based on the above description, the claw member (7) can not be pivotably supported by the carriage (2). Carriage (2) is only functioning as a means to let the claw member (7) swings CCW to get unlocked as the carriage returns or travels to the printing starting point. Please clarify.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

3. Claims 1-6 are allowed.

4. The following is an examiner's statement of reasons for allowance:

The primary reason for the allowance of claims 1-6 is the inclusion of the limitations of a claw member swingably supported on said base member for locking said slide member onto said base member during the wiping operation performed by said wiper; a claw biasing member for biasing said claw member in a direction of locking; a claw push-down projecting part provided on said slide member for forcing said claw member downward in contact with said claw member; and an unlocking protruding part provided at the bottom of said carriage, in which said unlocking protruding part comes into contact with said claw member as a result of a movement of said carriage at the beginning of a printing process upon completion of the wiping operation and causes said claw member to release said slide member from a locked state so that said slide member returns back to the specified position of the base member. It is these limitations found in each of the claims as they are claimed in the combination, which has not been found, taught or suggested by the prior art that makes these claims allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,814,424, "Maintenance apparatus of an inkjet printer and method thereof" issued to Park, 11/9/2004 teaches in his figs. 7 and 8 a wiper member (120 ) has a wiper (124) mounted on top of it, the wiper member is supported by a wiper member horizontal movement body (122). There is no claw member, etc. as taught by the present application so as to lock the slider member (6) in the present application in a fixed wiping position.

US 6,568,789, "print head maintenance device used in a printing device" issued to Lin et al., 5/27/2003 teaches in their fig. 2 a maintenance device (20) having an ink brush (26). Its structures are entirely differently from those in the present application, e.g., claw member, claw push-down projecting part, etc. are not found in this reference.

US 6,533,388, "Service station for an ink jet printer" issued to Toh et al., 3/18/2003 teach in their figs. 2 and 3 a service station (18) having a cap frame (32) and wiper frame (34) mounted with wipers (36). A spring loaded wiper hook (38) connected to the wiper frame will maintain the wiper frame in the upper position by rotating the wiper hook clockwise and causing a locking groove (72) formed on the wiper hook to engage about a protrusion (73) formed on a main frame (30). These structures are similar to the claw member (7) in the present application. The releasing of the wiper frame from its upper position is by an activation arm (40), which is activated to pivot by

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the contact of the ink jet carriage (14). The pivoting of the arm (40) causes a pin (40b) formed on the arm (40) to contact a slant face (84) formed on the wiper hook (38). This contact causes the releasing of the protrusion (73) from the locking groove (72). The wiper frame can be returned to the lower position under the action of a leaf spring (62).

The structural details are different from those in the present application, e.g., the present application does not have the activation arm (40). Instead, the returning of the wiper in the present application is done by the interaction of the carriage and the "upper left projecting part of the claw member (7).

US 6,497,473, "Wiping apparatus for a ink jet printer" issued to Kim, 12/24/2002 teaches in his fig. 4 a wiping apparatus (100) having a locking member (130), which has a triangular attaching/detaching projection (132) to engage with an attaching/detaching groove (114) of the housing (114). The locking member functions the same as the claw member (7) in the present application. However, members such as: "claw push-down projecting part" in the present application is not found in Kim's reference.

US 6,334,663, "Service station device for ink-jet printer" issued to Lee, 1/1/2002 teaches in his fig. 4 a service station (100) having a wiper (210). A locking member (400, fig. 8) is provided into the service station for locking the carriage (2) to prevent the sealing of nozzle (7) from releasing when the nozzle (7) is capped and sealed by cap (350).

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to shih-wen hsieh whose telephone number is 571-272-2256. The examiner can normally be reached on 9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Luu can be reached on 571-272-7663. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SWH



June 8, 2007

SHIH-WEN HSIEH  
PRIMARY EXAMINER

